



Environmental News

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U.S. GOVERNMENT NOMINATES CRITICAL USE EXEMPTIONS FOR METHYL BROMIDE
Materials Submitted to Ozone Secretariat of the United Nations

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The U.S. Government today transmitted its formal nomination for “critical use exemptions” from the phase-out of methyl bromide. Methyl bromide is a relied-upon agricultural fumigant that, because it depletes stratospheric ozone, is scheduled to be phased-out by developed countries by 2005 in accordance with the *Montreal Protocol on Substances that Deplete the Ozone Layer*. The Montreal Protocol contains a provision for countries to request exemptions for uses of methyl bromide for which there are no technical or economically feasible alternatives. It is under this provision that the U.S. and many other countries are submitting their nominations for critical use exemption.

The United States is submitting a two-year exemption request to begin in 2005. This request is based on an extensive and rigorous joint EPA and U.S. Department of Agriculture technical review process involving dozens of specialists with extensive experience in relevant sciences. The U.S. request for 2005 is for 39% of our baseline consumption of methyl bromide, which is substantially below the most recent year’s consumption. Our request will decline to 37% in 2006, reflecting our commitment to ozone layer protection and the likelihood that additional alternatives will be registered and available for use by then.

The U.S. critical use exemption request is consistent with international environmental commitments designed to protect the ozone layer as well as protective of the legitimate needs of methyl bromide users. As new alternatives are developed and market tested, the United States fully expects the need for future critical use exemptions to be eliminated. To date, the U.S. Department of Agriculture has spent over \$146 million in research and outreach related to alternatives for the crops on which methyl bromide is currently used. The critical use exemptions being requested will cover the following uses: food processing, commodity storage, forest seedlings, orchard seedlings, orchard replant, turf and sod, tomatoes, peppers, eggplant, strawberry, strawberry nurseries, cucurbits, ornamentals, ginger, transplant trays used in certain greenhouse production systems and sweet potatoes.

The U.S. nomination of critical methyl bromide uses for exemption from the 2005 phase-out has been submitted today to the Ozone Secretariat of the United Nations. In November 2003, the Parties to the Montreal Protocol will meet and review recommendations and authorize the continued production and import of methyl bromide after 2005 to meet authorized critical needs. Based on the decision of the Ozone Secretariat of the United Nations, EPA will conduct a rulemaking process and propose to exempt specific amounts of methyl bromide for identified critical uses.

The Montreal Protocol, signed by 183 countries including the United States, established a phase-down schedule for the use of a wide variety of chemicals that deplete the ozone layer. Under measures already taken by the U.S., the use of methyl bromide has decreased over 50 percent since 1990.

Information on EPA’s critical use exemption for methyl bromide is available at: <http://www.epa.gov/ozone/mbr/>.

Attachment

Fact Sheet

United States Nomination for Critical Use Exemptions from the 2005 Phaseout of Methyl Bromide

The U.S. takes its commitment to the Montreal Protocol and the needs of the agricultural community very seriously and our action on critical use exemptions is good for the environment and U.S. agriculture.

- Today the U.S. is submitting our nomination for methyl bromide critical use exemptions to the Ozone Secretariat of the United Nations under the terms of the Montreal Protocol. The request reflects a careful balance in meeting the needs of protecting the ozone layer, U.S. agriculture and fulfilling our obligations under the Montreal Protocol, the international treaty that protects stratospheric ozone.
- The U.S. has submitted a two-year exemption request, to begin in 2005. The U.S. request for 2005 is for 39% of our baseline consumption of methyl bromide, which is substantially below the most recent year's consumption. Our request will decline to 37% in 2006 reflecting current optimism that additional alternatives will be registered and available for use by then.
- This nomination reflects U.S. commitment to continuing leadership in ozone layer protection and our efforts to adhere to the criteria agreed to by the Parties of the Montreal Protocol, including whether there are technically and economically feasible alternatives to methyl bromide.

Methyl Bromide – Critical Use Information

- Methyl bromide (MeBr) is a widely used fumigant, both in the United States and in other countries. To date, the U.S. Department of Agriculture has spent over \$146 million in research and outreach related to alternatives for the crops on which MeBr is currently used. In addition, various farm consortia and universities have expended significant efforts to find alternatives. Through all of this research, it has become increasingly clear that no one alternative can replace MeBr in all of its uses.
- Since the U.S. has one of the largest agricultural bases in the world, we have also used more MeBr than any country in the world (approximately 40%). However, as the phaseout has progressed, the U.S. share of the world's MeBr has decreased. While we are still the largest consumer in the world, our share has been reduced to below 25%.
- The nomination requests methyl bromide for crops and post-harvest uses where we believe the users currently have no safe, effective and economically viable alternatives. Our nomination demonstrates a commitment to maintain our global leadership in working to find environmentally safer alternatives to MeBr. Our two-year request reflects a downward trend, which demonstrates our commitment to replacing MeBr uses as quickly as alternatives are proven viable.
- Since 1997, EPA's registration of alternatives to methyl bromide has been expedited. This has enabled these alternatives to move to the front of the pesticide registration queue. To encourage

development of alternatives, EPA reduced data generation burdens within the limits of statutory safety standards. These factors have enabled five alternatives to be registered in the last four years. Additional alternatives are in the registration pipeline, and may be approved, and become commercially available, thereby lessening the critical need for methyl bromide in 2005 and beyond. These registration developments will be coordinated as the Agency goes through the notice and comment rulemaking process for creating critical use exemptions to the 2005 phaseout.

- U.S. users of MeBr are among the most efficient in the world, and as a consequence, emissions are being reduced. Techniques used to minimize emissions include:
 - deep soil injection,
 - tarping fields after application to reduce emissions and improve activity of reduced rates,
 - requiring that MeBr only be used by certified applicators, and
 - diluting MeBr with other chemicals to limit use and emissions.

Review and Nomination Process

- The thorough and comprehensive review that created the U.S. nomination entailed multiple levels of analysis with teams of biologists and economists. In addition, the recommendations of these reviews were presented to a group of 45 PhD experts who evaluated whether or not there was a critical need for methyl bromide, based on the criteria agreed to by the Parties of the Montreal Protocol.
- To date, the EPA has held 12 stakeholder meetings in 2001-2002, and more than 30 application workshops in Washington D.C., Florida, California, Michigan, and North Carolina in 2002. In addition, specific discussions were held with individual stakeholders to provide clarification regarding their requests.

Next Steps

- The U.S. nomination of critical methyl bromide uses for exemption from the 2005 phaseout has been submitted to the Ozone Secretariat of the United Nations. The Ozone Secretariat will now forward the nomination package to the Methyl Bromide Technical Options Committee (MBTOC), an advisory group that provides technical expertise on methyl bromide to the Parties. MBTOC will review the nomination requests received and make recommendations to the Parties. In November 2003, the Parties to the Protocol will meet and review the MBTOC recommendations and authorize the continued production and import of methyl bromide after 2005 to meet authorized critical needs.

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